

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSHUA LINER,

Plaintiff,

-against-

KATHY HOCHUL, GOV, et al.,

Defendants.

1:21-CV-11116 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated January 10, 2022, the Court directed Plaintiff, who appears *pro se*, within 30 days of the date of that order, to either pay the \$402 in fees to bring this action or submit a completed and signed application to proceed *in forma pauperis* (“IFP”). On February 3, 2022, Plaintiff paid the court \$405 via a money order.

The Court directs the Clerk of Court to issue Plaintiff a refund in the amount of \$405. The Court also directs Plaintiff, within 30 days of the date of this order, to either submit payment of exactly \$402 in fees to bring this action or complete, sign, and submit the attached IFP application.

The Court further directs the Clerk of Court to mail a copy of this order to Plaintiff and note service on the docket. No summons shall issue at this time. If Plaintiff complies with this order, this action shall be processed in accordance with the procedures of the Clerk’s Office. If Plaintiff fails to comply with this order within the time allowed, this action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: February 7, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge